

REMARKS

Claims 1-8 are all the claims that have been examined. By this Amendment, Applicants amend claims 1 and 6-8, and cancel claims 2-5. Hence, claims 1 and 6-8 are all the claims pending in this application. Claim 1 is the only independent claim.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 1-5 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated, in the alternative, by Smafield, US Patent 3,584,522 (hereinafter '522), Thomas, US Patent 4,642,617 (hereinafter '617), JP 200343310 (hereinafter '310), and JP 9085585 (hereinafter '585).

Applicants cancel claims 2-5, amend claim 1, and traverse as to claim 1.

'522 discloses a detector for detecting a. breakage of a drill by an air jet feeler in sensing interruption. '617 discloses a detector for detecting the breakage of the drill by change of an acoustic frequency. '310 discloses a detector for detecting the breakage of the drill by blocking state of a detecting light due to movement of a tool inside a magazine. '585 discloses a detector for detecting a breakage of the drill by a waveform change of a processing load.

The above detectors do not relate to an eyeglass lens processing apparatus, and merely relate to a general machine tool. The eyeglass processing apparatus to which the invention belongs is the apparatus which is developed based on a technique of processing a lens periphery using a grinder. Thus, the eyeglass lens processing apparatus is not a general machine tool. The machine tools of '522, '617, '310, and '585 are not eyeglass lens processing apparatuses, and do not disclose a breakage detector that is "provided outside a partition forming a lens processing chamber and includes a sensor for detecting movement of a shaft due to an abutment against a tip

of the hole forming tool or detecting a proximity state of the tip of the hole forming tool.” This unique feature is for solving the problem specific to the structure of the eyeglass lens processing apparatus.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 2-5

Claims 2-5 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable, in the alternative, over ‘522, ‘617, ‘310, and ‘585. As Applicants have canceled claims 2-5, this rejection is moot.

Claims 1-8

Claims 1-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 2004009201 (hereinafter ‘9201), in view of each of ‘522, ‘617, ‘310, and ‘585. Applicants respectfully traverse.

With respect to claim 1, the Examiner asserts that ‘9201 teaches substantially all of the claim limitations, except for a breakage detector. The Examiner asserts that ‘522, ‘617, ‘310, and ‘585 each independently cure this deficiency.

As explained in the argument against the 102(b) rejection, above, the ‘522, ‘617, ‘310, and ‘585 do not teach the breakage detector as taught by the present language of claim 1. Therefore, Applicants request that the rejection of claim 1 be withdrawn.

As there are no independent rejections of claims 6-8, Applicants submit that these claims are patentable at least by virtue of their respective dependencies from claim 1.

AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 10/574,198

Attorney Docket No.: Q94182

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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